

Message Text

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MILITARY ADEES HANDLE AS SPECAT EXCLUSIVE

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TAGS: MASS, MARR, PFOR, TU

SUBJ: TURKISH BASE NEGOTIATIONS:

TURKISH DRAFT ARTICLE ON DEFENSE ASSISTANCE AND "GUARANTEE"

REF: ANKARA 0505 DTG 211142Z JAN 76

1. MFA SEC GEN ELEKDAG BEGAN OUR JANUARY 20 NEGOTIATING

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SESSION BY READING A DRAFT HE HAD PREPARED ON DERENSE

ASSISTANCE AND "GUARANTEE." HE NOTED THAT IT HAD NOT REPEAT NOT BEEN CLEARED WITH OTHER AUTHORITIES, THAT HE CONSEQUENTLY COULD NOT PROVIDE US A COPY, BUT THAT HE MIGHT BE ABLE TO DO SO IN TWO OR THREE DAYS. LATER ELEKDAG EXPLAINED THAT THE TEXT ATTEMPTED TO TAKE INTO ACCOUNT THE US CONTRAINTS IN HAD SET FORTH IN OUR JANUARY 15 MEETING.

PARA TWO BELOW

CONTAINS TEXT OF THIS ARTICLE AS WE HASTILY TRANSCRIBED IT FROM A COPY BRIEFLY LOANED TO US AT THE TABLE. SUBSEQUENT PARAS CONTAIN A SUMMARY OF MY BRIEF DISCUSSION WITH ELEKDAG ON SOME OF ITS PROVISIONS AS WELL AS OUR PRELIMINARY COMMENTS.

2. BEGIN TEXT:

ARTICLE XX

PARA 1. IN ORDER TO CONTRIBUTE TO THE FULFILLMENT BY THE REPUBLIC OF TURKEY OF RESPONSIBILITIES ARISING OUT OF THIS AGREEMENT AND FOR THE PURPOSE OF ENABLING THE TURKISH ARMED FORCES TO INFORM NATO MISSIONS ENTRUSTED TO TURKEY AND TO ACQUIRE AND MAINTAIN DEFENSE MEANS AND CAPABILITIES REQUIRED FOR AN ADEQUATE LOCAL CONVENTIONAL DETERRENCE NECESSITATED BY TURKEY'S GEOPOLITICAL SITUATION, THE GOVERNMENT OF THE U.S. SHALL PROVIDE TO THE GOVERNMENT OF TURKEY DEFENSE SUPPORT AT AN APPROPRIATE LEVEL.

PARA 2. THE DEFENSE SUPPORT MENTIONED IN PARA ONE OF THIS ARTICLE SHALL BE PROVIDED IN THE FORM OF THREE-YEAR PROGRAMS CONSISTENT WITH ARTICLE XXII OF THIS AGREEMENT. SUCH DEFENSE SUPPORT SHALL CONSIST OF GRANTS AND CREDITS.

PARA 3(A). THE TOTAL LEVEL OF THE DEFENSE SUPPORT FOR THE THREE-YEAR PROGRAM MENTIONED IN PARA TWO OF THIS ARTICLE SHALL BE DOLLARS BLANK CONSISTING OF GRANT AND CREDIT PORTIONS.

THE GRANT PORTION SHALL NOT BE LESS THAN 40 PERCENT OF THE TOTAL LEVEL.

ANNUAL DELIVERIES IN BOTH GRANT AND CREDITS SHALL BE ONE-THIRD OF THE TOTAL LEVELS IN THE RESPECTIVE CATEGORIES.

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(B) THE U.S. SHALL INSURE THAT THE TERMS AND CONDITIONS OF CREDITS BEING PROVIDED AT ANY GIVEN YEAR WILL BE MORE FAVORABLE THAN CREDIT TERMS AND CONDITIONS PREVAILING IN THE U.S. FINANCIAL MARKET.

PARA 4. THE DEFENSE SUPPORT SHALL BE PROVIDED IN THE FORM OF DEFENSE ARTICLES AND SERVICES, DEFENSE CREDITS,

AND TECHNICAL MILITARY ASSISTANCE ANNUAL LISTS COVERING THE TURKISH ARMED FORCES REQUIREMENTS OF DEFENSE ARTICLES, SERVICES, TECHNICAL ASSISTANCE AND DEFENSE CREDITS SHALL BE DRAWN UP BY THE APPROPRIATE TURKISH AUTHORITIES AND COMMUNICATED TO THE APPROPRIATE U.S. AUTHORITIES.

PARA 5. IN THE EVENT THAT ACTUAL DELIVERIES OF GRANTS AND CREDITS REMAINS BELOW THE LEVEL AND PERCENTAGE REFERRED TO IN PARA 3 (A) OF THIS ARTICLE, THE GOT SHALL HAVE THE RIGHT TO TERMINATE THIS AGREEMENT BY SERVING A NOTICE OF ONE MONTH AND TO REQUEST THAT THE INSTALLATIONS BE LIQUIDATED WITHIN THE SUBSEQUENT PERIOD OF SIX MONTHS.

PARA 6. THE PARTIES SHALL ENTER INTO NEGOTIATIONS ONE YEAR BEFORE THE EXPIRATION OF THE THREE-YEAR VALIDITY PERIOD OF THIS AGREEMENT, FOR THE PURPOSE OF DETERMINING THE LEVEL OF DEFENSE SUPPORT TO BE IN EFFECT DURING THE SUBSEQUENT THREE-YEAR PERIOD. IF AN AGREEMENT CANNOT BE REACHED OVER SUCH A LEVEL, THE GOT SHALL BE ENTITLED NOT TO EXTEND THE VALIDITY OF THIS AGREEMENT, WHEREUPON THE INSTALLATIONS SHALL BE LIQUIDATED WITHIN A PERIOD OF SIX MONTHS. END TEXT.

3. NOTING THAT I WISHED TO RESERVE FULL COMMENT ON THE TEXT UNTIL I HAD A CHANCE TO READ AND STUDY IT, I SAID I SHOULD NEVERTHELESS POINT OUT A FEW ASPECTS WHICH IMMEDIATELY CAUGHT MY ATTENTION AS SOURCES OF PROBLEMS FOR US. I POINTED OUT IN PARTICULAR THAT A THREE-YEAR VALIDITY PERIOD WOULD RESULT IN OUR BEING IN ALMOST CONSTANT NEGOTIATIONS AND ASKED WHY THE TURKS PREFERRED THIS OVER A FIVE-YEAR AGREEMENT. ELEKDAG RESPONDED THAT THE REQUIREMENTS OF THE TURKISH ARMED FORCES CHANGE RAPIDLY, THAT PRICES MIGHT ALSO INCREASE AND THAT IT WAS THEREFORE EASIER TO
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PLAN OVER A THREE-YEAR PERIOD. HE ADDED THAT, WHILE THE DEFENSE SUPPORT ELEMENT WOULD BE RENEGOTIATED AT THREE-YEAR INTERVALS, THE REST OF THE AGREEMENT WOULD REMAIN SUBSTANTIALLY AS ORIGINALLY AGREED.

4. I NOTED THAT THE REQUIREMENT FOR GRANT ASSISTANCE ZB EQUAL 40 PERCENT OF THE TOTAL ASSISTANCE PACKAGE WOULD CAUSE US VERY SERIOUS PROBLEMS IN VIEW OF THE WORLDWIDE PHASE-OUT OF GRANT ASSISTANCE. ELEKDAG DID NOT RESPOND.

5. I POINTED OUT THAT, WHILE I UNDERSTOOD HIS INTENT TO ASSURE THAT THE ASSISTANCE BE SPREAD EQUALLY OVER THE THREE-YEAR PERIOD, BASING THIS PROVISION ON ANNUAL DELIVERIES WAS COMPLETELY UNREALISTIC IN VIEW OF THE DIFFERENT LEAD TIMES FOR VARIOUS ITEMS OF EQUIPMENT. ELEKDAG ADMITTED

THAT THIS TEXT MIGHT NOT TAKE INTO ACCOUNT SOME PRACTICAL REALITIES AND THAT THESE MIGHT BE WORKED OUT WITH OUR MILITARY STAFFS.

6. FINALLY, I POINTED OUT THAT THE NOTICE PERIODS FOR TERMINATION AND US WITHDRAWAL WAS UNACCEPTABLY ABRUPT. ELEKDAG DID NOT RESPOND.

7.COMMENT: THE ELEKDAG TEXT IS CLEARLY A STEP FORWARD IN THAT, AS NOTED REFTEL, IT SIGNALS ACCEPTANCE OF OUR GENERAL ASSISTANCE-GUARANTEE CONCEPT. WITHOUT TAKING ELEKDAG'S DRAFT AS A POINT OF DEPARTURE, I SUGGEST AN ATTEMPT BE MADE TO INCORPORATE SOME OF ITS LANGUAGE IN THE DRAFT NOW UNDER PREPARATION IN WASHINGTON. MACOMBER
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